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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,144	08/26/2003	David D. Boone	TIA-1	5043
1054	7590	08/31/2004	EXAMINER	
LEONARD TACHNER, A PROFESSIONAL LAW CORPORATION 17961 SKY PARK CIRCLE, SUITE 38-E IRVINE, CA 92614			HUNTER, ALVIN A	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 08/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/649,144	BOONE, DAVID D. <i>CH</i>
	Examiner Alvin A. Hunter	Art Unit 3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 August 2003.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-12, 15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Sano (US 2002/0065147).

Regarding claim 1, Sano discloses a golf club head having an enclosed hollow interior defined by a plurality of surfaces including a crown, sole, a face, a skirt, a toe and a heel having a hosel extending therefrom wherein the head comprises at least one fin member extending from the crown within the interior between the face and the skirt wherein the fin member having a height which is minimum adjacent the face and adjacent the skirt and which is maximum between the face and the skirt being that the minimum height and the maximum height are equal (See Figure 3 and 12).

Regarding claim 2, Sano discloses the fin member at the maximum height being tangent to a plane which intersects the crown where the crown merges with the face and skirt (See Figure 3 and 12).

Regarding claim 3, Sano discloses a plurality of fin member wherein at least two fin members being parallel to each other and extending from the crown within the interior between the face and the skirt (See Figure 3).

Regarding claim 4, Sano discloses at least two of the fin members being parallel to each other and extending from the sole within the interior between the face and skirt (See Figure 3).

Regarding claim 5, Sano discloses the fin member extending from the crown having a height which is minimum adjacent the face and adjacent the skirt and which is maximum between the face and the skirt being that the minimum height and the maximum height are equal (See Figure 3 and 12).

Regarding claim 6, Sano discloses the fin member, extending from the crown, at the maximum height being tangent to a plane which intersects the crown where the crown merges with the face and skirt (See Figure 3 and 12).

Regarding claim 7, Sano discloses the fin member extending from the sole having a height which is minimum adjacent the face and adjacent the skirt and which is maximum between the face and the skirt being that the minimum height and the maximum height are equal (See Figure 3 and 12).

Regarding claim 8, Sano discloses the fin member, extending from the sole, at the maximum height being tangent to a plane which intersects the crown where the crown merges with the face and skirt (See Figure 3 and 12).

Regarding claim 9, Sano discloses a golf club head having an enclosed hollow interior defined by a plurality of surface including a crown, sole, a face, a skirt, a toe and a heel having a hosel extending therefrom comprising at least one fin member extending from at least one of the plurality of surfaces with the interior and oriented relative to the face for resisting deformation of the crown and the sole upon impact of the face with a golf ball for promoting a greater

efficiency of the transfer of force into the golf ball upon the impact (See Figures 3 and 12 and Paragraphs 0057 through 0062).

Regarding claim 10, Sano discloses the fin member extending from the crown (See Figure 3).

Regarding claim 11, Sano discloses the fin member extending from the sole (See Figure 3).

Regarding claim 12, Sano discloses the fin member extending from the face (See Figure 3).

Regarding claim 15, Sano discloses the fin member having an uniform cross-section (See Figure 3 and 12).

Regarding claim 16, Sano discloses the fin member being curved or arched (See Paragraph 0061).

2. Claims 1-13 and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Yabu (US 2002/0072434).

Regarding claim 1, Yabu discloses a golf club head having an enclosed hollow interior defined by a plurality of surfaces including a crown, sole, a face, a skirt, a toe and a heel having a hosel extending therefrom wherein the head comprises at least one fin member extending from the crown within the interior between the face and the skirt wherein the fin member having a height which is minimum adjacent the face and adjacent the skirt and which is maximum between the face and the skirt being that the minimum height and the maximum height are equal (See Figures 4-7).

Regarding claim 2, Yabu discloses the fin member at the maximum height being tangent to a plane which intersects the crown where the crown merges with the face and skirt (See Figures 4-7).

Regarding claim 3, Yabu discloses a plurality of fin member wherein at least two fin members being parallel to each other and extending from the crown within the interior between the face and the skirt (See Figure 4).

Regarding claim 4, Yabu discloses at least two of the fin members being parallel to each other and extending from the sole within the interior between the face and skirt (See Figure 4).

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Regarding claim 5, Yabu discloses the fin member extending from the crown having a height which is minimum adjacent the face and adjacent the skirt and which is maximum between the face and the skirt being that the minimum height and the maximum height are equal (See Figures 4-7).

Regarding claim 6, Yabu discloses the fin member, extending from the crown, at the maximum height being tangent to a plane which intersects the crown where the crown merges with the face and skirt (See Figures 4-7).

Regarding claim 7, Yabu discloses the fin member extending from the sole having a height which is minimum adjacent the face and adjacent the skirt and which is maximum between the face and the skirt being that the minimum height and the maximum height are equal (See Figures 4-7).

Regarding claim 8, Yabu discloses the fin member, extending from the sole, at the maximum height being tangent to a plane which intersects the crown where the crown merges with the face and skirt (See Figures 4-7).

Regarding claim 9, Yabu discloses a golf club head having an enclosed hollow interior defined by a plurality of surface including a crown, sole, a face, a skirt, a toe and a heel having a hosel extending therefrom comprising at least one fin member extending from at least one of the plurality of surfaces with the interior and oriented relative to the face for resisting deformation of the crown and the sole upon impact of the face with a golf ball for promoting a greater efficiency of the transfer of force into the golf ball upon the impact (See Figures 4-7 and Paragraph 0022).

Regarding claim 10, Yabu discloses the fin member extending from the crown (See Figure 4).

Regarding claim 11, Yabu discloses the fin member extending from the sole (See Figure 4).

Regarding claim 12, Yabu discloses the fin member extending from the face (See Figure 4).

Regarding claim 13, Yabu discloses the fin member having a tapered cross-section (See Figure 7)

Regarding claim 15, Yabu discloses the fin member having a uniform cross-section (See Figure 4-7).

Regarding claim 16, Yabu discloses the fin member being curved or arched (See Figure 6).

Regarding claim 17, Yabu discloses the fin member having a V-shaped cross section (See Figure 7).

3. Claims 1-13, 16, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Schaffer (USPN 2460435).

Regarding claim 1, Schaffer discloses a golf club head having an enclosed hollow interior defined by a plurality of surfaces including a crown, sole, a face, a skirt, a toe and a heel having a hosel extending therefrom wherein the head comprises at least one fin member extending from the crown within the interior between the face and the skirt wherein the fin member having a height which is minimum adjacent the face and adjacent the skirt and which is maximum between the face and the skirt (See Figure 2, 5, and 6).

Regarding claim 2, Schaffer discloses the fin member at the maximum height being tangent to a plane which intersects the crown where the crown merges with the face and the skirt (See Figure 2).

Regarding claim 3, Schaffer discloses a plurality of fin members wherein at least two fin members are parallel to each other and extending from the crown with the interior between the face and skirt (See Figure 2).

Regarding claim 4, Schaffer discloses at least two fin members being parallel to each other and extending from the sole within the interior between the face and the skirt (See Figure 2).

Regarding claim 5, Schaffer discloses each of the fin members extending from the crown having a height which is minimum adjacent the face and adjacent the skirt and maximum between the face and skirt (See Figure 2).

Regarding claim 6, Schaffer discloses the maximum height of each of the fin members extending from the crown being tangent to a plane which intersects the crown where the crown merges with the face and skirt (See Figure 2).

Regarding claim 7, Schaffer discloses each of the fin members extending from the sole having a height which is minimum adjacent the face and adjacent the skirt and maximum between the face and skirt (See Figure 2).

Regarding claim 8, Schaffer discloses the maximum height of each of the fin members extending from the sole being tangent to a plane which intersects the crown where the crown merges with the face and skirt (See Figure 2).

Regarding claim 9, Schaffer discloses a golf club head having an enclosed hollow interior defined by a plurality of surface including a crown, sole, a face, a skirt, a toe and a heel having a hosel extending therefrom comprising at least one fin member extending from at least one of the plurality of surfaces with the interior and oriented relative to the face for resisting deformation of the crown and the sole upon impact of the face with a golf ball for promoting a greater efficiency of the transfer of force into the golf ball upon the impact (See Figures 2, 5 and 6).

Regarding claim 10, Schaffer discloses the fin member extending from the crown (See Figure 2).

Regarding claim 11, Schaffer discloses the fin member extending from the sole (See Figure 2).

Regarding claim 12, Schaffer discloses the fin member extending from the face (See Figures 2 and 5).

Regarding claim 13, Schaffer discloses the fin member having a tapered cross-section (See Figure 2).

Regarding claim 16, Schaffer discloses the fin member having a arched shape (See Figure 2).

Regarding claim 17, Schaffer discloses the fin member having a V-shaped cross section (See Figure 2).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yabu (US 2002/0072434).

Regarding claim 14, Yabu discloses that the fins may have various shapes (See Paragraph 0025). Therefore, one having ordinary skill in the art would have found it obvious to have the fin members of any shape, as taught by Yabu, so long as the invention is attained.

Regarding claim 18, the claim refers to a product by process, therefore it is submitted that Yabu meets the limitation of the claim being that the final product is a V-shaped fins extending from the crown.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schaffer (USPN 2460435).

Regarding claim 18, the claim refers to a product by process, therefore it is submitted that Schaffer meets the limitation of the claim being that the final product is a V-shaped fins extending from the crown.

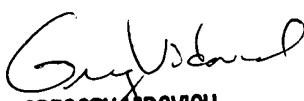
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is 703-306-5693. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich, can be reached on 703-308-1513. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AAH  
Alvin A. Hunter, Jr.

  
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